

REMARKS

Claims 1 - 20 are in the application. Claims 1, 16, and 20 are currently amended; claims 2 – 15 and 17 were previously presented; claims 18 and 19 remain unchanged from the original versions thereof; and claims 21 and 22 have been cancelled. Claims 1, 16, and 20 are the independent claims herein.

Claims 1, 16, and 20 are currently amended to further clarify that which is claimed by Applicant. In particular, Claims 1 is amended to recite structuring the received digital information according to a risk quotient criteria associated with a reputational risk of opening the client account, wherein said reputational risk relates to a professional standing in an industry of an account opening entity. Claims 16 and 20 are both amended to recite structure the received information according to risk quotient criteria associated with a reputational risk of opening the client account, wherein said reputational risk relates to a professional standing in an industry of an account opening entity. Thus, it is clear that Applicant claims a risk quotient associated with a reputational risk of opening the client account.

Support for the current claim amendments may be found in the specification as filed at least on page 2, lines 9 - 10.

No new matter has been added to the application as a result of the amendments submitted herewith. Reconsideration and further examination are respectfully requested.

Claim Rejections – 35 USC § 102(e)

Claims 1 - 3, 5 - 9, 11, and 20 were rejected as being anticipated by U.S. Patent Number US 2003/0135457 A1 to Stewart et al. (hereinafter, Stewart). This rejection is respectfully traversed.

In contrast to claims 1 and 20, Applicant notes that the cited and relied upon Stewart discloses a particular system and method for electronically establishing a

demand deposit account. In particular, Stewart discloses system and method wherein a customer applies for the demand account on-line and provides personal information to an institution as necessary for the institution to determine the product(s) for which the customer is approved. (See Stewart, para. 0007) Regarding criteria used in determining the approval status of the customer, Stewart specifically discloses using a "credit score and key demographic values". (See Stewart, para. 0020, ln. 19 – 20 and para. 0050, ln. 5 - 6) Stewart also discloses a fraud identification system (70) that predicts the likelihood of identity manipulation and predictive fraud modeling, and helps to identify inconsistent, inaccurate, and fraudulent information provided by the customer. (See Stewart, para. 0042)

Thus, it is clear that Stewart discloses a demand account approval process that explicitly considers a credit or financial risk and a fraudulent identity risk. Of note, the credit risk relates to a credit rating of the customer and the fraudulent identity risk relates to "inconsistent, inaccurate, and fraudulent information provided by the customer". That is, the risks explicitly disclosed and considered in Stewart specifically relate to the customer applying to open an account.

Neither the credit/financial risk nor the fraudulent identity risk disclosed in Stewart is the same as or the equivalent of the reputational risk recited in the pending claims. The credit or financial risk does not relate to a professional standing in an industry of an account opening entity. Additionally, the fraudulent identity risk is not related to a professional standing in an industry of the account opening entity of Stewart.

In complete contrast to the claimed reputational risk that relates to the reputation of the claimed account opening entity, the credit/financial risk and the fraudulent identity risk disclosed in Stewart both strictly relate to the customer by providing, respectively, an indication of the credit worthiness of the customer or the probability the identification provided by the customer is not accurate.

Therefore, it is clear that Stewart fails to fully disclose that for which it was cited and relied upon for disclosing. Again, Stewart fails to disclose or suggest the claimed reputational risk of opening the client account, wherein said reputational risk relates to a professional standing in an industry of an account opening entity.

Accordingly, Applicant submits that claims 1 – 3, 5 – 9, 11 and 20 are patentable over Stewart under 35 USC 102(e). Accordingly, Applicant respectfully requests the reconsideration and withdrawal of the rejection under 35 USC 102(e) and the allowance of claims 1 – 3, 5 – 9, 11 and 20.

Claim Rejections – 35 USC § 103(a)

Claims 4, 10, 14, and 16 - 19 were rejected as being unpatentable over Stewart, and further in view of U.S. Patent Number US 2002/0143686 A1 to Greene et al. (hereinafter, Greene). This rejection is respectfully traversed.

As clearly shown above regarding claims 1 and 20, Stewart fails to disclose or suggest the claimed reputational risk. In fact, claim 16 is worded the same as claim 20 regarding the reputational risk. As such, even combining Stewart with Greene (as alleged in the Office Action but not agreed with as suggested or feasible by Applicant) would not render claim 16 obvious.

Applicant respectfully submits that claims 4, 10, 14, and 17 – 19 depend from allowable base claims and are therefore also allowable.

Accordingly, Applicant submits that claims 4, 10, 14, and 16 - 19 are patentable over Stewart and Greene under 35 USC 103(a). Applicant therefore requests the reconsideration and withdrawal of the rejection of claims 4, 10, 14, and 16 - 19 under 35 USC 103(a) and the allowance of same.

Claims 12 - 13 and 15 were rejected as being unpatentable over Stewart as applied to claim 1 above, and further in view of Dictionary of Economics by Wiley (995) from www.xreferplus.com (hereinafter, xreferplus). This rejection is respectfully traversed

Applicant respectfully submits that claims 12 - 13 and 15 depend from an allowable base claim, namely claim 1. For at least this reason, Applicant submits that claims 12 - 13 and 15 are also allowable.

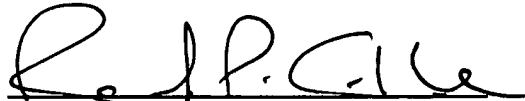
Accordingly, Applicant submits that claims 12 - 13 and 15 are patentable over Stewart and xreferplus under 35 USC 103(a). Applicant therefore requests the reconsideration and withdrawal of the rejection of claims 12 - 13 and 15 under 35 USC 103(a) and the allowance of same.

CONCLUSION

Accordingly, Applicants respectfully request allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (203) 972-5985.

Respectfully submitted,

April 20, 2006
Date



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